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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,141	01/03/2002	Alessio Casati	7-3	1114

7590 07/29/2004

Docket Administrator (Room 3J-219)
Lucent Technologies Inc.
101 Crawfords Corner Road
Holmdel, NJ 07733-3030

EXAMINER

LY, NGHI H

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/038,141

Applicant(s)

CASATI ET AL.

Examiner

Nghi H. Ly

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 6 and 10 are arerejected under 35 U.S.C. 102(e) as being anticipated by Anvekar et al (US 6,684,072).

Regarding claim 1, Anvekar teaches a method of enabling a mobile station, associated with a home network (see Abstract), to roam in one or more further networks while using a predetermined service (see column 3, lines 25-29), comprising: providing a node maintaining data relating to said service (see fig.1, box 120), providing a set of gateway nodes (see fig.1, box 130b) in the further network (see fig.1, country b 100b) which are operated by the home network service provider (see column 4, lines 46-49, in addition, Applicant's specification, page 4, lines 1-2 discloses "*Node that the prepaid data server may be physically part of the SCP server*"), and causing the node to interact with the gateway nodes to provide them with data and/or instructions concerning the service (see column 6, lines 6-18, "*the CPADC forwards the applicable prepaid account balance information, roaming phone product rules and program to the SPN*").

Regarding claim 2, Anvekar further teaches the service relates to the prepaid status of a subscriber (see column 6, lines 6-18, "*prepaid*").

Regarding claims 6 and 10, Anvekar teaches a GPRS telecommunications system (see column 10, lines 58-67), comprising a plurality of networks (see fig.1, country a, country b and country c), at least one of the networks being a home network for a subscriber associated with a mobile terminal (see fig.1, country c), a node maintaining data relating to a service; one or more gateway nodes (see fig.1, box 130b) in networks other than the home networks (see fig.1, country b 100b) and operated by the home network service provider (see column 4, lines 46-49, in addition, Applicant's specification, page 4, lines 1-2 discloses "*Node that the prepaid data server may be physically part of the SCP server*"), and means for enabling said gateway nodes to interact with the service data maintaining node to provide them with data and/or instructions concerning the service (see column 6, lines 6-18, "*the CPADC forwards the applicable prepaid account balance information, roaming phone product rules and program to the SPN*").

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 3-5 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anvekar et al (US 6,684,072) in view of Wallenius (US 6,760,417).

Regarding claim 3, Anvekar teaches the GPRS network (see column 10, lines 58-67).

Anvekar does not specifically disclose the gateway nodes are Gateway GPRS Support Nodes (GGSN).

Wallerius teaches disclose the gateway nodes are Gateway GPRS Support Nodes (GGSN) (see column 3, lines 12-24).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Wallenius into the system of Anvekar in order to provide a real-time, unambiguous charging data format understandable to the subscriber's billing unit (see Wallenius, column 2, lines 15-19).

Regarding claims 4 and 8, the combination of Anvekar and Wallenius further teaches the node interacts with service logic in a CSE and GGSN (see Wallenius, column 3, lines 12-24 and see column 5, lines 37-65).

Regarding claims 5 and 9, the combination of Anvekar and Wallenius further teaches the data maintaining node provides the GGSN with thresholds usable to set a limit on the amount of data that can be transferred (see Wallenius, column 3, lines 12-24 and column 2, lines 25-33).

Regarding claim 7, the combination of Anvekar and Wallenius further teaches the gateway nodes are GPRS support nodes (see column 3, lines 12-24).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Rahman (US 6,036,909) teaches automated prepayment method for mobile terminal.
- b. Batni (US 6,490,450) teaches capturing and modifying of mobile subscriber information.
- c. Boutwell et al (US 6,453,030) teaches system and method for roaming billing.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (703) 605-5164. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi H. Ly

110620
07/23/04


CHARLES APPIAH
PRIMARY EXAMINER